

REMARKS

Claims 1-3, 5-6, 12-17, 19-21, 28-30, 45-48 and 50 are pending in the application.

Claims 1-3, 5-6, 12-17, 19-21, 28-30, 45-48 and 50 have been rejected.

Rejection of Claims Under 35 U.S.C. § 102

Claims 1-3, 12, 45-48 and 50 stand rejected under 35 U.S.C. §102(e) as purportedly being anticipated by U.S. Patent No. 6,804,657 issued to Sultan (“Sultan”). After careful consideration of the Examiner’s remarks, Applicants assert that Claims 1-3, 12, 45-48, and 60, as now amended, are not rendered unpatentable by Sultan in view of the arguments herein.

For example, regarding amended independent Claim 1, none of the cited sections of Sultan discloses (or renders obvious) “a forecast series creation set of instructions, wherein the forecast series comprises a set of parameters that define attributes of forecasts that are created from the forecast series”. On page 2 of the present Final Office Action, the Office Action asserts that col. 2, lines 19-21 and col. 11, lines 9-26 of Sultan disclose the recited element of Claim 1. Col. 2, lines 19-21 of Sultan purportedly discloses “defining an hierarchical structure for a sales force of the company; defining a place within the hierarchical structure for each memory of the sales force”. Col. 11, lines 9-26 of Sultan states:

In like manner, Regional Manager B3 may view a pipeline and/or a forecast by rolling up (summing) the pipeline and/or forecast information of all those directly or indirectly reporting to him. As shown in FIG. 2, the rolled up pipeline and/or forecast information includes the pipeline and/or forecast information of Regional Managers B31, B32, and B33 that directly report to him. Regional Manager B3 may request that the pipeline and/or forecast information be presented with as little or as much detail as desired. Indeed, the rolled up pipeline and/or forecast information may represent anticipated sales across product lines or for a single product, for any time period for which pipeline information exists, for all Account Supervisors or for a single selected Account Supervisor or even down to the deal and Sales representative level. Any memory of the sales forecast,

therefore, may drill down as far as the most granular level available, as long as his or her assigned permission level allows it.

Applicants respectfully submit that neither of these cited sections teaches the amended limitations.

In rendering the rejection, the Office Action appears to be equating the generation of a forecast series (as recited in Claim 1) with the submission of a query request for a forecast (allegedly disclosed in Sultan). As recited in Claim 1, “the forecast series” does not amount to an actual query request for a forecast. Instead, the forecast series sets the boundaries of forecasts that are created from the forecast series or “a set of parameters that define attributes of forecasts that are created from the forecast series.” (Claim 1). For example, a forecast series includes identification of “an acceptable range of dates over which forecast generated from the forecast series cover”, as recited in Claim 1. Also, Claim 1 recites “a forecast creation set of instructions that define attributes of a particular forecast, wherein the attributes fall within the set of parameters comprised in the forecast series, to generate the particular forecast,” which clearly makes a distinction between a “forecast series” and the creation of the actual “forecast”.

Since Sultan does not disclose (or render obvious) each and every element of Claim 1, Applicants submit that independent Claim 1, as amended, similar independent Claims 12, 45, 48, and 50, and all claims depending therefrom, are in condition for allowance, in view of the aforementioned arguments. Applicants therefore respectfully request the Examiner’s withdrawal of the rejections to those claims and an indication of the allowability of the same.

Rejection of Claims Under 35 U.S.C. § 103

Claims 5, 6, 13-17, 19-21 and 28-30 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over Sultan as applied to Claims 1 and 12 above. Applicants respectfully traverse this rejection. After careful consideration of Office Action’s comments, Applicants assert that Claims 5, 6, 13-17, 19-21, and 28-30, as now amended are not rendered unpatentable by the combination of Sultan and “Official

Notice.” More specifically, the Office Action states on page 11 that “Official Notice is taken that it was old and well-known in the art of data reporting at the time of Applicants’ invention to prevent modification of data once it has been formally submitted to a higher authority.” As an initial matter, Applicants assert that Claims 5 and 13-14 are not rendered unpatentable by the combination of Sultan and Official Notice by virtue of their dependency to now-allowable independent Claims 1 and 12 in view of the aforementioned arguments. Also, the introduction of Official Notice in combination of Sultan does not disclose (or render obvious) the missing elements of independent Claims 1 and 12, as discussed above.

Regarding Claims 15-17, 19-21, and 28-30, Also, the introduction of Official Notice in combination of Sultan does not disclose (or render obvious) each and every element of independent Claims 15 and 28. For example, regarding independent Claim 15, the cited sections of in Sultan fail to disclose (or render obvious) “instructions for creating a forecast series, wherein the forecast series comprises a set of parameters that define attributes of forecasts that are created from the forecast series”, as recited in Claim 15. On page 2, the Office Action asserts that col. 2, lines 19-21 and col. 11, lines 9-26 of Sultan disclose the recited element of Claim 15. Col. 2, lines 19-21 of Sultan purportedly discloses “defining a hierarchical structure for a sales force of the company; defining a place within the hierarchical structure for each memory of the sales force”. Col. 11, lines 9-26 of Sultan states:

In like manner, Regional Manager B3 may view a pipeline and/or a forecast by rolling up (summing) the pipeline and/or forecast information of all those directly or indirectly reporting to him. As shown in FIG. 2, the rolled up pipeline and/or forecast information includes the pipeline and/or forecast information of Regional Managers B31, B32, and B33 that directly report to him. Regional Manager B3 may request that the pipeline and/or forecast information be presented with as little or as much detail as desired. Indeed, the rolled up pipeline and/or forecast information may represent anticipated sales across product lines or for a single product, for any time period for which pipeline information exists, for all Account Supervisors or for a single selected Account Supervisor or even down to the deal and Sales representative level. Any memory of the sales forecast, therefore, may drill down as far as the most granular level available, as long as his or her assigned permission level allows it.

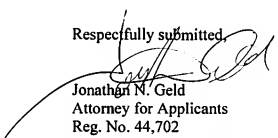
Applicants respectfully submit that neither of these cited sections teaches the amended limitations, as previously discussed regarding the § 102 rejection of independent Claims 1, 15, 45, 48, 50, and all dependent claims therefrom. For at least these reasons, and those discussed above, Applicants submit that the cited sections of Sultan and the Official Notice fail to provide disclosure of all the limitations of Claims 5, 6, 13-17, 19-21, and 28-30, as amended, and all claims depending therefrom. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of the same.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,



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